

to be used for child abuse assistance programs, increasing the earmark from \$10 million to \$20 million. This increase reflects a growth in contributions to the fund since the set-aside for victims of child abuse was first established.

Mr. Speaker, all of these changes will funnel more resources to the State and local level, where the individuals who are on the front lines in the fight against child abuse are best equipped to help our children. And I know my colleagues will be pleased to know that the CAPE Act draws on existing resources instead of creating a new Federal program that requires more taxpayer financing.

The CAPE Act has bipartisan support and was favorably reported by the Committee on the Judiciary without controversy or amendment. So while we do not expect numerous amendments to be offered today, this issue is simply far too important to deny a full and fair debate. That is why the Committee on Rules has reported this open rule, which I hope my colleagues will support.

I look forward to today's debate, which I hope will not only be a prelude to the passage of legislation that gives hope to millions of children, but also an effort to raise awareness about the horrors of child abuse and the steps we can take to end it.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my friend and colleague, the gentleman from Ohio (Ms. PRYCE), for yielding me this time, and I yield myself such time as I may consume.

Mr. Speaker, the rule for H.R. 764 is an open rule, and I am pleased to support its consideration.

Mr. Speaker, every year, millions of children are the victims of child abuse or are witnesses to terrible violence. The repercussions of this violence is often felt for the rest of that child's life. Study after study suggests that children who are victims of child abuse or neglect are far more likely to run afoul of the law either as adolescents or adults. Statistics show that most people who are abusers were abused as children themselves.

Even as the crime in some areas is going down, experts tell us the number of crimes against children is going up. This bill is an important effort aimed at child abuse treatment and prevention. It was passed just a few days ago by a voice vote in the Committee on the Judiciary and is now here on the floor for consideration by the full House.

□ 1430

Several important amendments have been identified, and I look forward to the thoughtful debate concerning this most important issue.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I hope my colleagues will join me in participating in today's debate and strengthening the voice of millions of children who live each day with terror and in pain.

Raising awareness is the first step toward ending the living nightmare of child abuse. The next step is providing the resources to eradicate this scourge on our society. Today, happily, we can do both.

I urge my colleagues to vote for this fair and open rule and the Child Abuse Prevention and Enforcement Act.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. JENKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 764.

The SPEAKER pro tempore (Mr. HANSEN). Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### CHILD ABUSE PREVENTION AND ENFORCEMENT ACT

The SPEAKER pro tempore (Mr. JENKINS). Pursuant to House Resolution 321 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 764.

□ 1432

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 764) to reduce the incidence of child abuse and neglect, and for other purposes, with Mr. HANSEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Florida (Mr. MCCOLLUM) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. MCCOLLUM).

Mr. MCCOLLUM. Mr. Chairman, I yield myself such time as I may consume. I rise in support of H.R. 764, the Child Abuse Prevention and Enforcement Act.

The bill was introduced by the gentlewoman from Ohio (Ms. PRYCE) and has 54 cosponsors and bipartisan sup-

port. The Crime Subcommittee of the Committee on the Judiciary held a legislative hearing on the bill on May 12, 1999; and last week, the full Committee on the Judiciary ordered the bill favorably reported by a voice vote.

The purpose of the bill is to increase the funds available for the investigation of child abuse crimes and programs designed to prevent child abuse and other domestic violence. It will do this by amending existing grant programs that provide funds to States for crime-related purposes so that funds can also be used to provide child protective workers and child welfare workers access to criminal conviction information and orders of protection.

These workers often do not have access to criminal history records and information and may be unaware that when they place a child in foster care or return a child to a parent, that they are placing the child in the custody of a person with a criminal history. Allowing these Federal funds to provide child protective and child welfare workers with access to State records will help alleviate this problem.

This bill would accomplish this purpose by doing two things. First, section 2 of the bill would amend a small Justice Department grant program that currently helps States provide equipment and personnel training for closed circuit television and videotaping of the testimony of children in criminal child abuse cases.

H.R. 764 would permit the Department to make grants for an additional purpose, namely, to provide child protective workers and child welfare workers in public and private agencies access to criminal conviction information and orders of protection based on the claim of domestic or child abuse or to improve law enforcement access to judicial custody orders, visitation orders, protective orders, and guardianship orders.

Section 3 of the bill would modify the federal crime control assistance program known as the Byrne Grant Program. This program authorizes the Federal Government to award both block grants and discretionary grants for specified activities. Block grants are allocated to the State on the basis of population and are to be used for personnel, equipment, training, technical assistance, and information systems to improve criminal justice systems. The discretionary program funds are distributed to non-federal public and private organizations undertaking projects that educate criminal justice personnel or that provide technical assistance to State and local governments.

The Byrne Grant statute specifies 26 permissible uses for these funds. This bill proposes to amend the Byrne Grant program to add an additional permissible use for these funds, namely, "to enforce child abuse and neglect laws

and programs designed to prevent child abuse and neglect."

Third, Section 4 of the bill would amend the Victims of Crime Act of 1984. This law was passed to assist States in directly compensating and providing support services for victims and families of victims of violent crimes. Funding for this purpose comes from the Federal Crime Victims Fund, into which are deposited criminal fines, penalty assessments, and forfeited appearance bonds of persons convicted of crimes against the United States. In fiscal year 1998, \$363 million was deposited into this fund for distribution in FY 1999.

There are two principal programs established under the act. The victims' compensation program provides funds to States which have in place their own programs to compensate victims of crime. The Federal funds are used by States to reimburse victims of violent crimes or their survivors for non-reimbursable medical costs, lost wages and support, and funeral expenses arising from a crime-related injury or death.

The victims' assistance program also provides grants to States which are then authorized to distribute the funds to support public and nonprofit agencies that provide direct services to victims of crime, such as 24-hour crisis hotlines for victims of sexual assault and shelters for victims of spousal abuse.

Under current law, the first \$10 million of the funds deposited in the fund each year are to be expended by the Secretary of Health and Human Services for grants relating to child abuse prevention and treatment. Of the remaining funds, 48.5 percent are to be used for grants to State crime victims' compensation programs, 48.5 percent for victims' assistance programs, and 3 percent for grants for demonstration projects and training in technical assistance services to be eligible for crime assistance programs.

H.R. 764 would increase the earmark for child abuse and domestic assistance programs from \$10 million to \$20 million. Doubling this earmark would, therefore, result in a \$10 million reduction in the funds that would otherwise be available for grants to victims' compensation programs and victims' assistance programs.

Mr. Chairman, we all know that much more needs to be done to reduce the incidence of child abuse and neglect across the country. It is a very serious problem, and Congress has an important role to play by assisting the States to do all they can to reduce the incidence of such abuse. It is vitally important for child care and protective agencies working in concert with law enforcement to have access to criminal history information. Getting timely and complete information to these agencies will save lives.

I want to commend the gentlewoman from Ohio (Ms. PRYCE) for her work in

making this bill possible and for working with the Crime Subcommittee to improve it.

Later today, I will offer an amendment in the nature of a substitute to address the two concerns that I have with this bill.

Mr. Chairman, I include the following Congressional Budget Office Cost Estimate for the RECORD:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, October 1, 1999.

Hon. HENRY J. HYDE,  
Chairman, Committee on the Judiciary, House  
of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 764, the Child Abuse Prevention and Enforcement Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST  
ESTIMATE, OCTOBER 1, 1999

H.R. 764: CHILD ABUSE PREVENTION AND ENFORCEMENT ACT, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON THE JUDICIARY ON SEPTEMBER 28, 1999

CBO estimates that implementing H.R. 764 would not result in any significant cost to the federal government. Because enactment of H.R. 764 could affect direct spending, pay-as-you-go procedures would apply to the bill. However, CBO estimates that any impact on direct spending would not be significant. H.R. 764 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

Under current law, the first \$10 million available for spending from the Crime Victims Fund is earmarked for grants for child abuse victims; H.R. 764 would increase this allotment to \$20 million. The bill also would permit recipients of certain grants from the Department of Justice to use those funds for various child protection programs. Because these provisions would reallocate federal funds among similar activities, CBO estimates that enacting H.R. 764 would not significantly change the net direct spending from the Crime Victims Fund or the net discretionary spending from the affected grant programs.

The CBO staff contact for this estimate is Mark Grabowicz, who can be reached at 226-2860. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank my colleagues very much for the very hard work that they have put in for this legislation. I say to the gentlewoman from Ohio (Ms. PRYCE) and the gentlewoman from Ohio (Mrs. JONES), the very difficult job of focusing on something so sensitive to be able to help us bring to the floor the Child Abuse Prevention and

Enforcement Act, this is a good day for many of us.

Mr. Chairman, so many of us have had a tragic story to talk about in our State as it relates to child abuse. I can call off the names of so many children in the State of Texas. As a convening chairperson of the Congressional Children's Caucus, one of the issues we have debated here in the United States Congress is the access of our children to mental health services.

Many times our children are in need of counseling because they have suffered abuse in their homes. We are well aware of the very famous case in Colorado, JonBenet. Her murder is still unsolved, but we know that she met a very tragic death; and, as well, we know that the perpetrator is still at large.

In addition, we are quite familiar with a case that I saw just last evening, the case of little Collin in Florida, where time after time those who are responsible for protecting her life, taking her away from an abusive father, failed to see the abuse in the home until ultimately, out of anger of the parent, little Collin was killed.

The problem of child abuse and neglect is disturbing and far-reaching. The U.S. Department of Health and Human Services, in a report issued in April of this year, indicated that there were over 950,000 documented cases of child abuse and neglect in 1997.

Further, in an earlier report, HHS indicated that while the number of child abuse and neglect cases has increased since 1986, the actual number of cases investigated by State agencies has remained about the same. As a result, the proportion of cases investigated has decreased from 44 percent in 1986 to 28 percent in 1993.

Mr. Chairman, this is a failure on our part. This is again not holding to our responsibility to be the protectors of our children. The failure to adequately address the problem of child abuse and neglect is costly in many ways. First and foremost, there is a human tragedy related to the victimized child.

How many of us, Mr. Chairman, have cried at the television and newspaper reports of the abused and sometimes mutilated bodies of dead and/or badly injured children? Obviously, abused and neglected children carry physical and emotional scars with them forever affecting every aspect of their life.

Might I note that many times murderers who are murderers as adults, when we begin to look into their background, it has been determined, although the murder is of course no less horrible, that they were abused as children in their childhood.

In addition, the National Committee to Prevent Child Abuse estimated in 1993 that the annual cost of child welfare health care and out-of-home care for abused and neglected children totaled \$9 billion. I must add that this is

a conservative estimate in light of the fact that it does not include every related cost, such as long-term physical and mental impairment, emergency room care, lost productivity, special education services, and costs to adjudicate child abuse cases.

That is why the Congressional Children's Caucus has focused on greater mental health access to children so that maybe in counseling some of those who have been heretofore afraid of talking about being abused will be able to tell an adult about their abuse.

Yet another cause of child abuse is in the area of increased criminal activity. According to a 1992 U.S. Department of Justice report entitled the Cycle of Violence, 68 percent of youth arrested had a prior history of abuse and neglect. The study also indicated that childhood abuse increased the odds of future delinquency and, as I said earlier, in adult criminality by approximately 40 percent.

On the positive side, we know how to address this problem. The National Child Abuse Coalition reports that family support programs and parental education have demonstrated that prevention efforts work. And as we have seen in the other areas, such as drug treatment programs, community-based programs, supporting families can be implemented to prevent child abuse for far less than the dollars it now costs to treat and manage a child abused and neglected.

The legislation being considered today is a step in the right direction. I congratulate the proponents. This bill provides increased grant authority for services to abused or neglected children. It also provides an increase in the existing set-aside for child abuse and neglect services from the Crime Victims Fund, in which I hope that we will not cap it so that we will not be able to get those funds.

The McCollum amendment provides for a formula which will tie the increased set-aside for child abuse and neglect services to the overall increase in the Crime Victims Fund. I support the amendment.

I will offer an amendment to specify that this bill also covers children's sexual abuse, as noted by the evidence that suggests that JonBenet was sexually abused. It is clear that prevention and early treatment for child abuse and neglect victims benefits everyone. This bill represents a positive step in that direction and, as a result, I support H.R. 764, as amended, offered by the gentlewoman from Ohio (Ms. PRYCE) and the gentlewoman from Ohio (Mrs. JONES) and as amended by the gentleman from Florida (Mr. MCCOLLUM).

Mr. Chairman, I reserve the balance of my time.

Mr. MCCOLLUM. Mr. Chairman, I yield 5 minutes to the gentlewoman from Ohio (Ms. PRYCE) the author of this bill.

Ms. PRYCE of Ohio. Mr. Chairman, I thank the gentleman from Florida for yielding me the time.

Mr. Chairman, this morning, in coordination with today's House consideration of the CAPE Act, I and a number of my colleagues from both sides of the aisle toured the D.C.'s Children Advocacy Center, otherwise known as Safe Shores.

For those who are not familiar with the children's advocacy centers like Safe Shores, they provide child abuse victims with a child-friendly environment where they can seek initial treatment and examination under one roof in one visit.

□ 1445

This is far superior to the more traditional method which subjected children to a cold bureaucratic maze of probing and prodding that often have the unintended consequences of re-victimizing them.

Mr. Chairman, like most children's advocacy centers, Safe Shores has a toy room which is where the cruel reality of child abuse really comes to life. I think we would all agree that toys should represent happy times in children's lives, but at Safe Shores they are merely temporary distractions from the nightmare inflicted upon them by adults who should be loving them. It is for those children at Safe Shores and all abused children around our Nation that I introduced the CAPE act and why we must pass it today.

The CAPE Act focuses on two critically important aspects of child abuse, prevention and improved treatment of child abuse victims. Moreover, the bill recognizes that it is those on the front lines in our communities who are in the best position to make a difference for our children, the child protection workers, the police, the judges, the court-appointed special advocates, the doctors and nurses, the foster families, and the volunteers, just to name a few.

In a nutshell, this bill takes three important steps to help children, and they have already been described by the gentleman from Florida (Mr. MCCOLLUM), so I will not go into the technical aspects; but suffice it to say that all the money for this bill comes from forfeited assets, forfeited bail bonds, fines paid to the Government, not taxpayers' dollars.

So, without tapping the U.S. Treasury, the bill will increase the amount of funds which can be used for such things as training child abuse investigators, training child protection workers, and the development of children's advocacy centers like the one I toured this morning in Washington and the one which is evolving at Children's Hospital in my own hometown of Columbus, Ohio.

In fact, I am very proud that Children's Hospital soon will be embarking

on a brand new state-of-the-art children's advocacy center on its campus in Columbus, building on its 10 years of experience and success in its existing location inside the hospital.

Also, this bill gives State and local officials the flexibility to use existing grants to provide child protection agencies access to criminal history records. This will help ensure that abused and neglected children are placed in safe foster and adoptive homes as expeditiously as possible so that they do not languish any longer than necessary in bureaucratic limbo.

The bill will make a difference in the lives of children without any additional cost to the taxpayer. It removes federally imposed straight-jackets on Federal funds and gives local folks the flexibility to invest in our children as they know best how to.

Quite appropriately, Deborah Sendek, Director of Columbus Children's Advocacy Center at Children's Hospital is with me today in Washington, for she is on the front lines in the fight to protect our children. It is heroes like this that the bill is designed to empower in their tireless efforts to bring care and comfort to our children to make sure that they are protected from their abusers.

In closing, I want to thank the gentleman from Florida (Mr. MCCOLLUM), the chairman of the Subcommittee on Crime, and the chairman, the gentleman from Illinois (Mr. HYDE), for all their perseverance in helping me bring the CAPE Act from the Committee on the Judiciary, to the House floor. I also want to express my gratitude to the original cosponsors of this bill, the distinguished majority whip, the gentleman from Texas (Mr. DELAY), who is a devoted foster parent and a tireless champion of the CAPE Act, to the gentleman from Illinois (Mr. EWING), to the gentleman from Pennsylvania (Mr. GREENWOOD), and last but not least, to the gentlewoman from Ohio (Mrs. JONES), my fellow colleague from the Buckeye State, who has so much experience in this issue.

Finally, I want to tip my hat to all the child advocates around the Nation in our communities, some of whom are here today, for all they do to nurture and treat victims of child abuse.

Mr. Chairman, abused children do not have high-priced lobbyists in Washington, nor are they a powerful voting block; but they are counting on us to act on their behalf, and the CAPE Act is for them. I urge adoption of this CAPE Act.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 4 minutes to the distinguished gentlewoman from Ohio (Mrs. JONES), the original Democratic cosponsor of this legislation.

Mrs. JONES of Ohio. Mr. Chairman, first of all I would like to thank my colleague, the gentlewoman from Texas (Ms. JACKSON-LEE), my colleague, the gentlewoman from Ohio

(Ms. PRYCE), and all the other persons that were original sponsors and cosponsors on this piece of legislation.

Mr. Chairman, I will not repeat what has been said by the other presenters as to what the CAPE Act will do. What I want to speak to is why the CAPE Act is so necessary.

I served for 8 years as the prosecutor from Cuyahoga County, Ohio. In Cuyahoga County I had 180 assistants, and many of them were responsible for prosecuting child abuse cases. One of the things that I realized as prosecutor was the need to specially train prosecutors who worked in that area. They needed to be able to speak to a young child witness; they needed to be able to understand and see when that child was drawing back and understand the behavioral manifestations from child abuse. They needed to be able to speak with a child-protection worker and have a worker who was as well trained as they were. They needed police officers who were also specially trained in dealing with child abuse victims.

Ultimately, we made a determination that we had to come up with an organization or interagency group that could handle these types of cases, and that is why what the CAPE Act will be able to do is so very important. Many of the child protection workers who work throughout this country need additional training. Many of them come right out of school into child protection work. Many of them find that because of the type of job that they are involved in, burnout comes quickly; and there are very few opportunities for reward or encouragement. Through providing dollars through the Byrne grant for training, we will be able to say to these child-protection workers, You are important to us. You are important to us not only because of who you are, but who you work with.

They will be working with young people, young abuse victims and providing dollars for their training is of particular importance. We were able to, through the work that we did and ads at the advocacy center that we visited today, to see that there were joint interviews being done with a one-way mirror so that in the course of being interviewed or handled as a young person or a child victim, they were not abused over and over again by so many interviews. That takes special technique, that takes great experience, and the funds that we are proposing from the Byrne grant will also be able to be used for training in that area.

It is very important also to understand that the work that forms the basis of the child-protection workers' work becomes the basis or foundation of the prosecutor's case as we go to trial; and very often we find ourselves in Cuyahoga County not being able to win some of our cases because early work done in those cases was not appropriately done, and it was not be-

cause the people working in the area were not able to do the job. It was because they were overwhelmed or maybe not specially trained in the area of child abuse and child sexual and physical abuse.

So these dollars are good, could be used for that training area. I want to salute all the child-protection workers, police officers, prosecutors who work out in this area and tell them that we really need them to continue to work hard, and by working to pass the Child Abuse Prevention and Enforcement Act, we are saying to them, we know you're important, and you're important enough for us to set aside an allocation specifically in the Byrne grant funds for you to be trained and you to be saluted for the work that you do.

I want to thank all of my colleagues who are here and in support of this legislation.

Mr. MCCOLLUM. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. DELAY) who is our majority whip.

Mr. DELAY. Mr. Chairman, I too want to thank the gentleman from Florida (Mr. MCCOLLUM) for bringing this very important piece of legislation to the floor, and I particularly want to thank the two gentlewomen from Ohio for all the hard work in putting this together; but I particularly want to thank one of my staff members, Autumn Hannah, whose tireless work and her work in raising the visibility of the abused and neglected children in this country has been so exemplary, and we greatly appreciate all her hard work.

Mr. Chairman, abuse against children is one of the unpardonable sins we must all work to end in this country. The Child Abuse Prevention and Enforcement Act takes a big step towards making America safer for all of our most vulnerable youngsters. There is no topic more important and no issue more pressing than the welfare of our Nation's children. But for far too long the tragedy of abuse has been swept under the rug. The result is that the culture of abuse continues because we, as a Nation, have at times been afraid to admit our own failings.

It is time for the silence to end. It is time for the years of relative inactivity to be turned into humane action. After all, the health of a society is easily reflected in how it treats its most vulnerable.

Today, too many of our young ones are having their innocence stripped away. Two years ago there were three million cases of child abuse and neglect in this country. Today, as I speak, there are at least a half a million American kids in foster care because it is not safe enough for them to live with their own families.

These numbers are as staggering as they are hard to comprehend. The sheer sadness that poisons so many little lives must move us all to action.

There are many ways that we can help, though the task is complicated. At the Federal level we have to help lift our children out of despair while simultaneously giving more flexibility to States to deal with their own local concerns. In other words, we must take action and get out of the way and not interfere with the good work that is already taking place.

Nationally, billions upon billions of dollars have been spent on child welfare programs, but this is not just a question of dollars and cents because it would be worth every dime if money was the solution to ending abuse and neglect. But money is not the solution, and a one-size-fits all Federal program often allows too many children to fall through the cracks.

Such failure directly translates into trouble for our communities in the future as children with a bad formation predictably make bad choices in life. No one is surprised to learn that there is a correlation between adolescent crime and child abuse, but this is a cycle of trouble that we can beat. CAPE is the first step towards that goal.

This legislation allows State and local officials to take advantage of existing Byrne law enforcement grants for child prevention work. It also allows localities to use the identification technology act to provide criminal history records to child protection agencies. These measures simply make use of resources that already exist while cutting out wasteful repetitive action from different agencies and different levels of government.

Along with these steps, CAPE also increases the set-aside for child abuse services and the crime victim fund, all of which comes from nontaxpayer dollars. In short, this bill expands services, cuts red tape, and works within already existing programs. It is good for government at the Federal level, better for State governments and most importantly, it is great for victims of abuse that it seeks to protect.

Just one example of the good work CAPE assists is the court-appointed special advocate, a group of volunteers who provide millions of hours to have courtroom support for abused children. In Texas alone, these programs save the Federal Government an estimated \$80 million a year at least, all while maximizing support services for children and minimizing their time in foster care, but this is just one program of so many. The point is that there are no shortage of ways and no lack of ideas in the fight to prevent child abuse and neglect; there is only a lack of involvement.

Mr. Chairman, too many Americans sit on their hands idly while others raise their hands in silence; but in most cases, Mr. Chairman, people simply do not know how they can make a difference in the lives of children. One easy way is to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I want to thank the gentlewoman for yielding this time to me and I want to thank her for all her hard work in this area and the sponsors of this legislation, I thank them too. As lawmakers and human beings we have an obligation to care, to care that every 12 minutes in my home State of Maryland one child is reported abused or neglected.

□ 1500

To care that currently 50 out of 1,000 children are reported maltreated, and to care that 2,000 children die each year as a result of abuse or neglect. But our higher duty is to transfer this care into prevention. H.R. 764 does this by providing for increased funding for prevention training, child advocacy and treatment, and increased access by protective service workers to criminal conviction records.

The Children's Defense Fund logo, written by a child, states quite succinctly: "Dear Lord, be good to me; the sea is so wide and my boat is so small."

Mr. Chairman, if we do not demonstrate that we care, this child and all others abused and neglected across this land will drift away in their small boats and eventually sink and die.

Mr. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I am pleased to rise in strong support of H.R. 764, the Child Abuse Prevention Act. And I thank the sponsor of this important legislation, the gentlewoman from Ohio (Ms. PRYCE); and the distinguished subcommittee chairman, the gentleman from Florida (Mr. MCCOLLUM); for bringing the measure before us today; and the ranking minority member, the gentlewoman from Texas (Ms. JACKSON-LEE); the gentlewoman from Ohio (Mrs. JONES); and our distinguished whip for supporting this measure.

The U.S. Advisory Board on Child Abuse and Neglect reports that 2,000 children die each year as a result of abuse or neglect. Moreover, it has been reported by the U.S. Department of Health and Human Services that there has been a 1.7 percent increase over the prior year of substantiated cases of child abuse and neglect. As we begin to enter the next century, it is imperative that we make certain that we take care of our Nation's children. Our future as a Nation and as a caring people depend on that.

History will not look kindly upon a society that chose to ignore the plight of its children over issues of politics, wealth, or new technology. Accordingly, it is imperative that Congress provide our local communities and our

States the tools needed to end child abuse and neglect.

This measure, H.R. 764, will permit the Department of Justice to provide the kind of grants to States for the enforcement of laws to prevent child abuse and will provide technical assistance to local law enforcement to help in that battle.

Accordingly, I urge all of my colleagues to fully support this important measure.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, they say that home is where the heart is, but where is the home of a child whose heart beats rapidly in fear that he will be beaten black and blue because dad has had a bad day at work today? What about the child who avoids his drunk mother for fear that he may irritate her?

Because of the alarming statistics of child abuse today, at least 500,000 children in the United States are making foster care, group shelters, and other institutions their permanent homes. As responsible legislators, it is imperative that we work to ensure safety for all of our children. We must do everything within our power to foster healthy environments where children can learn, can play, and can prepare to be the future of our country.

With statistics on child abuse ever increasing, it is evident that CAPE, the Child Abuse Prevention and Enforcement Act, is very needed. This legislation will help to improve conditions faced by at-risk children by expanding technology and enabling child protecting agencies to access criminal history records.

I challenge our colleagues to commit themselves to finding a solution for child abuse and take the first step by voting to pass the Child Abuse Prevention and Enforcement Act.

I congratulate our colleague, the gentlewoman from Ohio (Ms. PRYCE), for her leadership in sponsoring this bill that was also a legislative priority for our mutual friend, former Congresswoman Sue Molinari. I especially want to acknowledge the hard work of the gentleman from Texas (Mr. DELAY), who has made fighting child abuse a key legislative priority for all of us through our Shine the Light on the Children in the Darkness project.

Ms. JACKSON-LEE of Texas. Mr. Chairman, it is my distinct pleasure to yield 4 minutes to the distinguished gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I first of all want to thank the gentlewoman from Texas (Ms. JACKSON-LEE), who chairs the Children's Caucus, for yielding me time. I also want to commend the gentleman from Florida (Mr. MCCOLLUM), who will be offering a floor manager's amendment to this bill, who

chairs the Subcommittee on Crime of the Committee on the Judiciary who helped this bill through. The gentlewoman from Ohio (Mrs. JONES) on one side, the gentlewoman from Ohio (Ms. PRYCE) on one side, and the gentleman from Texas (Mr. DELAY). Boy, if this is not a good example of bipartisan cooperation on an issue that is so very important.

Mr. Chairman, I rise obviously in strong support of the Child Abuse Prevention and Enforcement Act, the CAPE Act, introduced by the gentlewoman from Ohio (Ms. PRYCE), to be amended by a floor manager's amendment. It expands the Byrne grants to allow the States flexibility in programs for child abuse protection services and also for programs to prevent the incidence of child abuse.

Just citing some of the statistics, the National Committee to Prevent Child Abuse reports that in 1994, over 3 million children were reported to child protective service agencies for child abuse and neglect. This is in the United States, and the numbers continue to increase. Currently about 47 out of every 1,000 children are reported as victims of child mistreatment, and overall child abuse reporting levels have increased 63 percent between 1985 and 1994.

Well, based on these numbers, more than 3 children die each day as a result of child abuse or neglect or a combination of neglectful and physically abusive parenting, and approximately 45 percent of these deaths occur to children known to child protective service agencies as current or prior clients.

Prevention, early intervention, and protection are the three components of child abuse programs that the Interdisciplinary Report on At-Risk Children and Families recommended. Prevention efforts build on the resources presented in local communities by encouraging residents to participate in awareness programs. Special outreach components are recommended to ensure early intervention by establishing at-risk behaviors for educators and parents. The third component, protection services, focuses on protecting the child while keeping the family together by providing in-home services. These three principles, so needed, are all examples of grant funded programs increased by H.R. 764.

This bill, the Child Abuse Prevention and Enforcement Act, expands a key element of preventing child abuse and neglect by providing access to services that address specific needs of local communities. Services must be responsive to the range of ongoing and changing needs of both children and families. The bill allows individual States and communities to develop and update their programs to meet these changing needs.

Mr. Chairman, I conclude with something that I think exemplifies it all. It

was once stated that if you touch a rock, you touch the past, and if you touch a flower, you touch the present, and if you touch a child, you touch the future.

This bill is critically important. I urge my colleagues to support this urgently needed legislation.

Mr. MCCOLLUM. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Chairman, I rise today in support of the Child Abuse Prevention and Enforcement Act, and I give my great appreciation to those who have brought this act to the floor of the House, the gentleman from Florida (Chairman MCCOLLUM), the gentlewoman from Ohio (Ms. PRYCE), and the gentlewoman from Texas (Ms. JACKSON-LEE).

I do so because I believe a society is measured in large part by how it treats the young and the most vulnerable. This bill seeks to help communities to help themselves by giving them the tools to stop and prevent child abuse.

The bill would give local and State officials the flexibility to use the Byrne Law Enforcement Act for Child Abuse Prevention, and increase the earmark for child abuse victims out of the crime victims fund.

These simple steps are not earth shattering, but they could actually be life saving. By giving our States and local communities increased resources, we decrease the chances of losing our children to the predators of child abuse. Now, that is an investment worth making, and that is legislation I am proud to support.

I urge my colleagues to support the Child Abuse Prevention and Enforcement Act.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I am delighted to yield 3 minutes to the distinguished gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I would like to thank the chairman and the ranking member and all of those who are associated with this very important piece of legislation, and like to commend my colleague, the gentlewoman from Ohio (Mrs. JONES) for her amendment.

Mr. Chairman, as a mother of five and a grandmother of four and a former teacher, I know the importance of bringing up children in healthy environments that protect them from abuse and neglect. According to the Children's Defense Fund, in my home State of California every minute a child is reported as being abused or neglected. That translates to 60 children being abused and neglected during the 1 hour of debate that has been allotted for this bill. That is why it is evident that we need H.R. 764. The CAPE Act would allow additional grant monies to enhance services related to child abuse and neglect cases. Also it would expand

the definition of abuse under existing law to include the taking of a child in violation of a court order.

These are just but two, Mr. Chairman, of the great provisions of this CAPE Act. I am indeed happy to be standing here in a bipartisan effort to pass such an important bill.

As a member of the Missing and Exploited Children's Caucus and the Co-Vice Chair of the Women's Caucus, I urge all of my colleagues to join us in voting "yes" to H.R. 764. We need to do more to prevent abuse and neglect and protect our children, which are, of course, our future.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. EWING).

Mr. EWING. Mr. Chairman, my association with the sponsor of this bill goes back to the last Congress when Susan Molinari, Congresswoman Molinari from New York, introduced a similar piece of legislation, and I was a cosponsor of it.

I am very pleased this time to be a cosponsor, along with our good friend and colleague, the gentlewoman from Ohio (Ms. PRYCE). The need here is really great, and this bill, while it does not spend a lot of extra money, I think we are going to get a lot more bang for our buck if we pass this bill.

Each day there are 9,000 reports of child abuse in America. That totals out to over 3 million cases in a year. Since 1987, the total number of reports of child abuse nationwide have gone up 47 percent. Of the cases of abuse, 54 percent result in a fatality, and over 18,000 children were permanently disabled as a result of physical abuse. Finally, those who are abused as children, when they become adults, are more apt to abuse their own children.

This is a problem in our society of enormous magnitude. It gets at the very basis of the next generation and future generations, and is something that we must do all that we can to address.

I think this is an excellent piece of legislation, and we should overwhelmingly pass it.

□ 1515

Mr. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, I thank the chairman and the gentleman from Florida for yielding time to me.

Mr. Chairman, childhood is the time of life that should be treasured and protected. The truth is, many children are robbed of their innocence or even worse at the hands of abuse.

Even while our overall national crime statistics have declined dramatically, child abuse continues to rise. The U.S. Advisory Board on Child Abuse and Neglect reports that 2000 children die each year as a result of abuse and neglect. In the State of Flor-

ida alone, a child is reported abused or neglected every 3 minutes. With these statistics, it is clear our Nation needs to do more to protect our children from abuse. We need to do everything we can to prevent it from happening in the first place.

Child abuse and prevention not only help protect the child, it also helps protect society in the long run, since statistics show that abused children are more likely to commit future acts of child abuse and domestic violence.

Last year the Volunteers for Children Act, a bill that I sponsored, was signed into law by the President. Volunteers for children will help protect children in after-school activities from being in the care of people with dangerous criminal records. This is an important step, but it is certainly not enough. We must attack child abuse at every opportunity, by investigating reported abuse thoroughly, by ensuring that children are not returned to abusive environments they have been taken out of, and by making penalties for convicted abusers much tougher.

Furthermore, we must ensure that children have safe places to go whenever they are in danger. As such, we need to continue empowering those on the State and local level in their efforts to prevent child abuse and treat victims.

That is what the CAPE Act is designed to do, to give local and State officials the flexibility to use law enforcement grants for child abuse prevention. It would increase the earmark, currently \$10 million for child abuse victims, out of the Crime Victims Fund. This funding can be used by the States for important things such as training child protective service workers; training court-appointed special advocates; and child advocacy centers, which are one-stop child-friendly places where all parts of an abused child examination and treatment are brought together under one roof.

Among others, the CAPE Act is supported by the National Child Abuse Coalition, which includes the Children's Defense Fund and the Child Welfare League, Prevent Child Abuse America, the Christian Coalition, the Family Research Council, and the National Center for Missing and Exploited Children.

I urge my colleagues to join these groups in supporting the bill. I thank the gentlewoman from Texas (Ms. JACKSON-LEE), and I thank again the chairman, the gentleman from Florida (Mr. MCCOLLUM), for being part of this great legislation.

I urge adoption by the Members.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I would like to thank the gentlewoman for yielding time to me, and those who have sponsored this critically important legislation.

Mr. Chairman, I am here today to address one of the most ugly, horrific crimes and experiences that can befall children, physical and sexual abuse. Before coming to Congress I spent more than 23 years of my life working as a psychologist in the mental health field helping to heal and counsel people who were the victims of child abuse and other terrible experiences.

I can tell Members that as ugly as it is, child abuse cannot be wished away. It is something we have to face square on, and the bill we are addressing today will help us do precisely that.

Earlier today I spoke with folks back in my own district, back in Vancouver, Washington. They told me some very frightening and troubling statistics. Referrals for child abuse were actually up in 1998 by 2 percent from the previous year. In one year we had over 3,957 referrals. Those are not just numbers, those are children whose lives have been harmed and damaged, and who will perhaps pass that harm on to others if we do not help them and intervene early on.

Some might say, what is the big deal, it is just a 1 or 2 percent increase? But this is happening in the best of economic times. We know that child abuse goes up when economic times go bad, but if we are having this many cases in good times, we have to act now to stop that before it gets worse.

My home State actually does a very good job of trying to prevent child abuse. I have visited many of the treatment centers myself. They do an outstanding job. They make use of scarce resources, and they put together innovative and effective programs to combat the problem, but they need help. They need additional resources and they need H.R. 764.

The legislation before us today puts more resources in the hands of the folks who need them most. This bill will expand the grant authority to provide funds to enhance services related to child abuse prevention programs. It will help fund the prevention and early intervention programs that have been shown to work, and it will help communities make sure those who commit these horrible crimes are prosecuted to the full extent of the law.

We need to provide more opportunities to prevent, to investigate, and to prosecute child abuse and neglect cases. We need this bill, and I urge my colleagues to give it their full support.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. OXLEY).

Mr. OXLEY. Mr. Chairman, I want to first thank the chairman of the subcommittee, the gentleman from Florida (Mr. MCCOLLUM), and particularly my colleague, the gentlewoman from Ohio (Ms. PRYCE), for their leadership in this legislation. I have had numerous discussions with her particularly about this important legislation.

The U.S. Advisory Board on Child Abuse and Neglect reports that 2,000 children die each year as a result of abuse or neglect. In my home State of Ohio alone, a child is reported abused or neglected every 3 minutes of every day. With these statistics, it is clear our Nation needs to do more to protect our children from abuse and prevent it from happening in the first place.

That is why this legislation is so important, because it focuses in on prevention. Child abuse prevention is true crime prevention, and all of us, I am sure, support that concept.

We needed to recognize that on the State and local level, the child protective workers, the police, prosecutors, judges, doctors, the nurses, are in the best position to prevent child abuse and find ways to treat those who have been abused.

We need to empower those on the State and local level in their efforts to prevent child abuse and treat victims. That is what the CAPE Act is designed to do. The bill would give State and local officials flexibility to use Byrne law enforcement grants for child abuse prevention, to increase the earmark currently at \$10 million for education out of the crime victims fund, and the best news of all is, it does not cost taxpayers' dollars because it comes from forfeited assets, forfeited bail bonds and fines paid by the government.

This funding can be used by the States for important things such as training child protective service workers, training court-appointed special advocates, and child advocacy centers. Child advocacy centers help provide treatment and examination for abused children in a way which will not revictimize the child.

We are fortunate in this country to have the assets necessary to carry out this important function. This act is supported by the National Child Abuse Coalition, Prevent Child Abuse America, the Christian Coalition, the Family Research Council, and the National Center for Missing and Exploited Children.

Ms. JACKSON-LEE of Texas. Mr. Chairman, it is my pleasure to yield 4 minutes to the gentleman from Michigan (Mr. BONIOR), the distinguished minority whip.

Mr. BONIOR. Mr. Chairman, I first of all would like to thank the distinguished gentlewoman from Texas (Ms. JACKSON-LEE) for her efforts on this bill, and also the gentlewoman from Ohio (Ms. PRYCE), and the gentleman from Florida (Mr. MCCOLLUM), for their good work on this legislation as well.

Mr. Chairman, in another life prior to entering politics, I used to work as a probation officer, and worked with juvenile delinquents. I worked in a youth home as an attendant there and also as a caseworker, and had some experience as an adoption caseworker. In that work, I had the occasion to wit-

ness situations in homes that cried out for attention.

Over the years, we have watched as governments at all levels have done relatively little to address this need. This need is quite extensive. Over 1 million cases of child abuse were committed in 1997. A child is abused or neglected in Michigan every 5 minutes, every 5 minutes, and about 300 cases are reported a day. That is according to a nonprofit group called Michigan's Children's Trust Fund.

Sixty-eight percent of youths arrested had a prior history of abuse and neglect, 68 percent. So what we have here is a vicious cycle of abuse, neglect, crime, violence, more abuse and neglect from generation to generation.

Lest we think of this as statistics, let me cite an example that was recently reported in the press, in the Detroit papers, and in other papers throughout Michigan about a mother who beat her 10-year-old and 13-year-old with an electrical cord and burned them with an iron. I know these are graphic pictures that I am creating for Members here, but it is what happens. The children escaped the house, they wandered the city, it was dark, at night, looking for their friend's house somewhere near what they said was Tiger Stadium. They were found cold and scared in the middle of the night; scarred, certainly physically, but more importantly, mentally for the rest of their lives. This is what happens on a regular basis.

So Mr. Chairman, I just rise in support of this bill. I rise in support of the efforts of the gentlewoman from Ohio (Mrs. JONES) on this bill. She has done an excellent job. She knows this issue from the perspective of one elected local law enforcement officer and other activities in her community.

Mr. Chairman, this is a good bill because it will start to address the issues of child abuse and neglect. It will take a positive, preventive step in addressing this issue. Groups like Covenant House, which have 15 shelters throughout this country, and other groups in my district, child welfare agencies, will hopefully receive the support they need to continue their good work and to expand it so we can get at the root of these problems, and address them in a humane way so we can break the cycle and we can develop the love that is needed for our children to succeed.

In conclusion, I just want to thank the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentlewoman from Ohio (Mrs. JONES) for all of their efforts, and my colleague from Florida, as well as my colleague from Ohio.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

Mr. GREENWOOD. Mr. Chairman, I thank the gentleman for yielding time to me.



Mr. Chairman, there is a Jesuit expression that says, let us have the children for the first 7 years, and then the world can have them. What that means is that when children in their earliest years are loved and nurtured, and when they are instilled with values and self-confidence, then they will have the strength and resilience that they need to face life's challenges and to resist its evils.

The opposite is most certainly true. When children are battered, when children are neglected, when children are sexually or psychologically mistreated and abused, then they will have the strength and resilience that they need to face life's challenges and to resist its evils.

Over the years as I worked with these children, and many of these children appear in my life 20 years later, calling me at home, we find these children, so many of them, not only just in the child welfare system as battered, but we find them in the juvenile justice system as delinquents, we find them in the mental health system as psychopathic or maladjusted, we find them in the drug and alcohol system as addicts, we find them in the domestic violence systems of batterers of their own spouses, and often, too often, batterers of their own children. Then we find them ultimately in the criminal justice system in our jails.

This legislation, introduced by my colleagues from both sides of the aisle, is not only compassionate, and it is the right thing to do for the innocent and helpless children of the country, but it is also the right thing to do, because this \$10 million or \$20 million will become multiplied many times over, for each child that is protected from abuse will be one less child in one of these other social service systems that is not only costly to American society, but causes so much more additional pain.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 30 seconds to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I would be remiss if I did not take the opportunity to thank my staff for all the support and work they did with me in trying to get the Child Abuse Prevention and Enforcement Act passed.

I would like to thank my staff on the record, Dan Weinheimer and other members of my staff.

□ 1530

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I think that was an extremely important statement, and I do appreciate the work of the staff on all of the committees and all of the Members' staff, and let me simply say we have heard a phrase used in another effort: a mind is a terrible thing to waste. I would para-

phrase it to say that a child is a terrible person to lose or to waste their lives or to see that child abused.

So I want to applaud the proponents of this legislation; I am delighted to join and be a cosponsor of it, and I hope that we can quickly move this legislation to see not one other life snuffed out. Not only another child's life snuffed out because we have been neglectful in providing the resources that we need to detect child abuse and prevent child abuse.

Mr. Chairman, I yield back the balance of my time.

Mr. MCCOLLUM. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, what I think our legislative role is day in and day out here is to provide ways to preserve and protect our great quality of life and freedom for our children and our grandchildren. We are the greatest free Nation in the history of the world. It is all about children. And in this case, we are talking about protecting them not only in that broad sense but in the very specific sense against child abuse, one of the worst things that can happen in this Nation to anyone.

And so I am pleased that the authors have brought this bill forward today. I am proud to have been a part of the team that has brought it out in the committee and subcommittee, and I look forward to the passage of this bill.

Mrs. FOWLER. Mr. Chairman, the statistics on the abuse of our most precious resource—our children—is heartbreaking. We must protect our children from those who would abuse their trusting souls and prey on their innocence. It is a moral obligation that binds us together, regardless of race, religion, gender, or party affiliation.

Today, the House can reiterate its commitment to our children by passing the Child Abuse Prevention and Enforcement Act.

As we know, our states are each different, with different needs and different resources—what works for Florida's children may not work for Maine's. This Bill encourages each state's creativity to deal with the unique needs of their children by offering greater flexibility with federal funds.

The bill also doubles to \$20 million a year the amount of money from the Crime Victims Fund that can be earmarked for child abuse victims. This fund is not taxpayer money, but money from the pockets of criminals—poetic justice, you might say. Finally, this bill increases access to criminal records by child protective services, making it easier for those who work to protect our children to do their jobs.

No one entity can fight child abuse alone. Working together, as partners, states and Congress can make a difference.

Mrs. CHRISTENSEN. Mr. Chairman, as a cosponsor of H.R. 764, the Child Abuse Prevention and Enforcement Act, I am proud to rise in strong support of its passage. I am also equally proud of my colleagues Congresswomen PRYCE and JONES of Ohio for their leadership in bringing this bill forward. I ap-

plaud them for their efforts and on behalf of children across this country thank them and all of the cosponsors of this bill.

The abuse, and I include neglect, of children is a most heinous crime, for all of the obvious reasons. Adults are supposed to protect and nurture children, and provide a suitable and supportive environment for their optimal development. It is a sacred trust, and one that must be upheld at all costs. H.R. 764 will help us to do this better.

I also find that it is the most insidious of crimes, because in many of the problems that plague our country—domestic abuse, teen pregnancy, drugs addiction, youth violence and delinquency, as well as many adult crimes—one will find that child abuse is generally a root cause.

The national statistics on child abuse are also very alarming. Many of my colleagues will recount these disturbing facts as we debate H.R. 764 today. Even in my own district, the U.S. Virgin Islands, we have seen an unacceptable increase in the numbers of children affected. And we know, that as in every other district, not every case is found or reported. This fact, as well as, the fact that it is a crime that has far and long reaching consequences that can affect even subsequent generations of our children, makes our responsibility and response to this issue even more critical.

The Child Abuse Prevention and Enforcement Act, through making resources available to those individuals who work every day to prevent child abuse and protect our children, makes a vital and most important contribution, not only to each and every child that is saved, but also to the future of this nation.

Mr. Speaker, H.R. 764 is not an investment we ought to make. It is one we must make. Our children deserve and need us to do everything within our power to protect them and to ensure the kind of safe and nurturing environment that will allow them to develop their fullest potential.

I strongly support H.R. 764 and I ask my colleagues to vote in favor of its passage.

Mr. HOBSON. Mr. Chairman, I rise in strong support of H.R. 764, the Child Abuse Prevention and Enforcement Act.

Providing for the safety and well-being of our children is one of society's most sacred obligations. Our children represent the future. But child abuse takes away their future. It cruelly takes away their hope and promise of realizing their talents and dreams. Child abuse denies our children a life of happiness and fulfillment by inflicting emotional and psychological scars that persist for the rest of their lives.

This important piece of legislation will confront child abuse head on. It will protect our children, and assist those vulnerable children who've been the victims of abuse. One of the aims of this legislation is to prevent child abuse before it happens. Because law enforcement is best conducted at the local level, law enforcement officials in communities across America will be given the flexibility and resources to combat the incidence of child abuse.

This legislation also will increase the funding for the Crime Victims Fund. These are not taxpayer dollars, but revenues from forfeited assets and fines paid to the government. This



funding can be used by the states for critical services such as training child protection workers and supporting child advocacy centers.

I recently had a very tragic case of child abuse in my district. Three-year old Ashley Taggart from Lancaster, Ohio was abducted and abused. After an excruciating ordeal, she was returned to safety. Though we cannot take this experience away, we can try to give Ashley a chance to lead a normal life.

Mr. Chairman, this legislation is for Ashley, and for the thousands of children like her across America. It is for the safety and well-being of all our children who deserve the best that life can give them.

Mrs. KELLY. Mr. Speaker, I rise in support of the legislation introduced by my colleague from Ohio, Congresswoman PRYCE.

This body has long worked to promote policies which seek to protect our children, guided by common sense, and by the general idea that a child's environment and experiences may have an influence on the type of person he or she will turn out to be.

Extensive research on child development issues in recent years has made it increasingly evident that the relationship between the nature of a child's upbringing and the mental and emotional health of that child undoubtedly exists. Though there is still much for us to learn, we know that the link is there, and this knowledge alone should be enough to strengthen our resolve to enact policies which shelter our children from harmful behavior and influences. I believe the work of this Congress attests to an active recognition of the importance of promoting such policies. In June, I was encouraged to see the House approve unanimously as an amendment to the juvenile justice legislation my bill on child hostages, which strengthens the penalties against those individuals who take a child hostage. The House consideration of H.R. 764 today, I think, further demonstrates the strength of this body's commitment to our children, and I urge my colleagues to support its passage.

Mr. MCCOLLUM. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of H.R. 764 is as follows:

H.R. 764

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Abuse Prevention and Enforcement Act".

#### SEC. 2. IMPROVEMENT OF ACCESS TO CERTAIN COURT AND LAW ENFORCEMENT RECORDS TO PREVENT CHILD ABUSE.

(a) DESCRIPTION OF GRANT PROGRAM.—Section 1402 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796aa-1) is amended by adding before the period at the end the following: "or to provide child protective workers and child welfare workers

(in public and private agencies, who, in the course of their official duties, are engaged in the assessment of risk and other actions related to the protection of children, including placement of children in foster care) access to criminal conviction information and orders of protection based on a claim of domestic or child abuse, or to improve law enforcement access to judicial custody orders, visitation orders, protection orders, guardianship orders, stay away orders, or other similar judicial orders".

(b) APPLICATION TO RECEIVE GRANTS.—Section 1403 of such Act (42 U.S.C. 3796aa-2) is amended—

(1) in paragraph (1), by inserting before the semicolon at the end the following: "or to provide child protective workers and child welfare workers (in public and private agencies, who, in the course of their official duties, are engaged in the assessment of risk and other actions related to the protection of children, including placement of children in foster care) access to criminal conviction information and orders of protection based on a claim of domestic or child abuse, or to improve law enforcement access to judicial custody orders, visitation orders, protection orders, guardianship orders, stay away orders, or other similar judicial orders"; and

(2) in paragraph (2), by inserting before the period at the end the following: "or to provide child protective workers and child welfare workers (in public and private agencies, who, in the course of their official duties, are engaged in the assessment of risk and other actions related to the protection of children, including placement of children in foster care) access to criminal conviction information and orders of protection based on a claim of domestic or child abuse, or to improve law enforcement access to judicial custody orders, visitation orders, protection orders, guardianship orders, stay away orders, or other similar judicial orders".

(c) REVIEW OF APPLICATIONS.—Section 1404(a) of such Act (42 U.S.C. 3796aa-3(a)) is amended in the matter preceding paragraph (1) by inserting after "to receive a grant" the following: "for closed circuit televising of testimony of children who are victims of abuse".

(d) DEFINITIONS.—Section 1409(2) of such Act (42 U.S.C. 3796aa-8(2)) is amended by inserting before the period at the end the following: "or the taking of a child in violation of a court order".

(e) CONFORMING AMENDMENT.—Part N of title I of such Act (42 U.S.C. 3796aa) is amended in the heading to read as follows:

#### "PART N—GRANTS FOR CLOSED-CIRCUIT TELEVISION OF TESTIMONY OF CHILDREN WHO ARE VICTIMS OF ABUSE AND FOR IMPROVING ACCESS TO COURT AND LAW ENFORCEMENT RECORDS FOR THE PURPOSE OF PREVENTING CHILD ABUSE".

#### SEC. 3. USE OF FUNDS UNDER BYRNE GRANT PROGRAM FOR CHILD PROTECTION.

Section 501(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751) is amended—

(1) by striking "and" at the end of paragraph (25);

(2) by striking the period at the end of paragraph (26) and adding "; and"; and

(3) by adding at the end the following:

"(27) enforcing child abuse and neglect laws and programs designed to prevent child abuse and neglect.".

#### SEC. 4. INCREASE IN SET ASIDE FOR CHILD ABUSE VICTIMS UNDER THE VICTIMS OF CRIME ACT OF 1984.

Section 1402(d)(2) of the Victims of Crime Act of 1984 is amended by striking "\$10,000,000" and inserting "\$20,000,000".

The CHAIRMAN. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
OFFERED BY MR. MCCOLLUM

Mr. MCCOLLUM. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. McCollum:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Abuse Prevention and Enforcement Act".

#### SEC. 2. GRANT PROGRAM.

Section 102(b) of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601(b)) is amended by striking "and" at the end of paragraph (15), by striking the period at the end of paragraph (16) and inserting "; and", and by adding after paragraph (16) the following:

"(17) the capability of the criminal justice system to deliver timely, accurate, and complete criminal history record information to child welfare agencies, organizations, and programs that are engaged in the assessment of risk and other activities related to the protection of children, including placement of children in foster care.".

#### SEC. 3. USE OF FUNDS UNDER BYRNE GRANT PROGRAM FOR CHILD PROTECTION.

Section 501(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751) is amended—

(1) by striking "and" at the end of paragraph (25);

(2) by striking the period at the end of paragraph (26) and adding "; and"; and

(3) by adding at the end the following:

"(27) enforcing child abuse and neglect laws and promoting programs designed to prevent child abuse and neglect.".

#### SEC. 4. CONDITIONAL ADJUSTMENT IN SET ASIDE FOR CHILD ABUSE VICTIMS UNDER THE VICTIMS OF CRIME ACT OF 1984.

Section 1402(d)(2) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(2)) is amended—

(1) by striking "(2) the next \$10,000,000" and inserting "(2)(A) Except as provided in subparagraph (B), the next \$10,000,000"; and

(2) by adding at the end the following:

"(B)(i) For any fiscal year for which the amount deposited in the Fund is greater than the amount deposited in the Fund for

fiscal year 1998, the \$10,000,000 referred to in subparagraph (A) plus an amount equal to 50 percent of the increase in the amount from fiscal year 1998 shall be available for grants under section 1404A.

“(ii) Amounts available under this subparagraph for any fiscal year shall not exceed \$20,000,000.”.

Mr. MCCOLLUM. Mr. Chairman, I am offering an amendment today in the nature of a substitute to this bill to address two aspects that I have concerns with.

First, H.R. 764 would authorize the Bureau of Justice Assistance to use a small grant program that helps purchase equipment so that children testifying in abuse cases can do so via closed circuit television to also fund the purposes stated in Section 2 of this bill. I am told there is just not enough money in this program to fund the CAPE Act. The funds for that program are consumed annually for their original purpose, and I do not believe we should dilute them.

My amendment would authorize funding under the Crime Identification Technology Act, a bill enacted last year to improve the operation of the criminal justice system by upgrading criminal justice and general justice record systems. I supported the passage of that bill in the House last year, and I believe it is a perfect fit for the purposes behind the bill before us today.

Secondly, H.R. 764 would also amend the Victims of Crime Act of 1984, which created the Crime Victims Fund. The fund is financed through the collection of criminal fines, penalty assessments, and forfeited appearance bonds of persons convicted of crimes against the United States. In fiscal 1998, \$363 million was deposited into the fund for distribution during this fiscal year. The fund provides money to States to compensate crime victims directly, and it provides other grants to States which are then distributed to public and non-profit agencies that provide direct services to crime victims. Under current law, the first \$10 million deposited in the fund each year is to be expended by the Secretary of Health and Human Services for grants relating to child abuse prevention and treatment.

This bill, the one before us today, would increase the earmark for child abuse and domestic assistance program from \$10 million to \$20 million. Doubling this earmark would result in a \$10 million reduction in funds that would otherwise be available for grants to the victims compensation programs and the victims assistance programs.

Victims' rights groups oppose doubling the earmark. In fact, they are not enamored with the earmark to begin with. My amendment offers an alternative to the straight doubling of the earmark. It would leave the current earmark at \$10 million in place except in any fiscal year when the amount of money deposited in the fund exceeds what was deposited for fiscal year 1998,

\$363 million. When more than that amount of money is deposited, half of the extra money would be allocated for child abuse prevention and treatment, but the total amount available in any fiscal year would not exceed \$20 million.

Mr. Chairman, it is my understanding it is likely that this fund will be well in excess of the \$363 million figure over the next couple of years, so I think there will be more than an adequate amount of money to fund the programs that are in this bill. I believe my amendment to H.R. 764 balances the interests of all stakeholders and I urge all of my colleagues to support this.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Florida (Mr. MCCOLLUM).

Mr. Chairman, I just want to add my support for the McCollum amendment and to indicate that the value of adding dollars to prevent child abuse among many other things is a key part of the effort that we are trying to do today.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MCCOLLUM

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas to the amendment in the nature of a substitute offered by Mr. MCCOLLUM:

On Page 1, line 15 after “protection of children,” insert “including protection against child sexual abuse.”.

On page 2, line 11, after “neglect laws” insert, “including laws protecting against child sexual abuse.”.

Ms. JACKSON-LEE of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. First of all, Mr. Chairman, let me again thank the gentleman from Florida (Mr. MCCOLLUM) for his leadership on the substitute and let me also thank the gentlewoman from Ohio (Ms. PRYCE) and the gentlewoman from Ohio (Mrs. JONES) for this legislation that I had the pleasure of cosponsoring.

The focus of the amendment that I am offering is to emphasize the heinousness and the tragedy of child sexual abuse. So my amendment offers to clarify that child abuse includes child sexual abuse, and this will add to the information that the child abuse workers will be able to secure and to be able to investigate in order to determine

whether there has been child sexual abuse.

Let me emphasize why this is an important distinction, because most often when we think of child abuse we think of the physical abuse that may be noticeable. The knocked head, the bruised arm, the broken arm, the broken leg, the burn on the body, physical things that can be seen by a school counselor, a teacher, a friend or a pastor.

But sometimes children suffer in the quietness and the horror of sexual abuse that cannot be detected by looking at a child fully clothed, and the idea is to ensure that in this new legislation we have a circumstance where this is on the minds of those child abuse investigators should they not also inquire, look, examine, and determine whether the child has been sexually abused.

Let me cite the numbers of sexually abused children. The numbers are going up. In 1990, there were 127,000 children abused sexually. In 1991, it goes up, 129,425. When we go to 1992, sexual abuse goes 130,000, 14 percent. 1993, 139,000. Each year the number of children sexually abused increases. When we look at close to 3 million children who are reported abused, we find that 12 percent of them suffered sexual abuse.

Mr. Chairman, might I offer to those who are able to, I guess, tolerate hearing about the horrificity, the heinousness about what happens when a child is sexually abused by citing the report on the autopsy of JonBenet Ramsey, a case that still stands as one of the singular cases of terrible child abuse and, of course, an unsolved murder of a child.

What the autopsy says is that this particular child was found to have been whacked. Her head was whacked against something, and then she was still alive and strangled. The autopsy goes on to note there are two injuries in that autopsy that could have killed her. One is a strangulation, the other is the assorted brain injuries. It is not clear in what sequence. Meyer found an abrasion on the girl's hymen, which other experts said could indicate a sexual assault. The size of the girl's hymen, which Meyer measured at 1 centimeter by 1 centimeter, should have more significance. “The thing that concerns me is that the hymenal opening is measured at 1 centimeter, which is too large,” said Kirschner, a child abuse specialist, “but if in fact that was the real measurement, that is twice the diameter that it should be. Usually a hymen in a young child like this should be 4 millimeters.”

And so there was discussion, horrible discussion about whether or not JonBenet Ramsey was sexually abused. “There is blood and contusions in the vagina and the hymen has been torn.”

Yes, descriptive, horrific, but every day our children face this kind of assault. So I think it is extremely important that this language emphasizes the protection of our children as the legislation already does; but it emphasizes a real focus on sexually abused children along with other abuse. It does not in any way diminish the importance of other abuse, but realizes that children can suffer in silence with child abuse, and it cannot easily be detected.

Mr. Chairman, I would hope that my colleagues would support this amendment because it again states to our child abuse investigators: be thorough in your work, do not be limited in your work, and realize that our children suffer in silence when they are sexually abused and you need to inquire and draw from them the information that will protect and save the lives of American children.

Mr. Chairman, I have an amendment that I would like to offer to this bill. In its present form, this bill has a tremendous impact on the current abuse and neglect system by enhancing the services available. This amendment I am offering would give child protective and child welfare workers additional access to criminal records that would include convictions for sexual abuse.

According to the statistics on abuse, 12 percent of the abuse is sexual abuse. Any discussion of child abuse is incomplete without including the growing problem of child sexual abuse and exploitation.

Child sexual abuse is any sex act performed by an adult or an older child. This includes actual physical abuse such as touching a child's genital area or molestation, and it also includes sexual assault, self-exposure (flashing), voyeurism, and exposing children to pornography.

Sexual abuse is often committed by a family member. Incest is the most common form of child sexual abuse. However, anyone can commit sexual abuse against a child. It is often perpetrated by adults that have been entrusted with caring for a child—a family friend, babysitter, a teacher, day care worker, or even religious leaders. Even a child can commit sexual abuse against another child.

The purpose of my amendment is to specify the importance of sexual abuse as a crime that should be recognized by child welfare and child protection workers when investigating incidences of child abuse.

It gives protection and child welfare workers access to the conviction records and orders of protection based on sexual abuse, in addition to domestic and child abuse. A history of sexual abuse, whether it is against a child or an adult, is significant information.

Sexual abuse against children is a harsh reality that is very common. At least one out of five adult women and one out of ten adult men report having been sexually abused as children. These cases may represent the untold stories of many children, now adults, who suffered in silence due to sexual abuse.

Now, we have mechanisms in place to investigate incidences of child abuse. However, in some cases, certain information about an alleged abuser's past may not be available.

This bill remedies that situation by making criminal records for sexual abuse available.

In Texas, there were more than 111,000 investigations of child abuse and neglect by the Child Protective Services in Texas. Of those cases, 7,650 were sexual abuse.

In one infamous case, the death of JonBenet Ramsey, sexual assault may have been a factor in her death. The autopsy was released this summer and was inconclusive as to whether the child had been sexually assaulted. However, it was clear to the investigators that in a case such as this, an inquiry had to be made concerning possible sexual assault.

This change only adds the term "sexual abuse" to the bill in an attempt to give child protection and child welfare workers another factor to consider when assessing the risk related to the protection of children.

I ask my Colleagues to support this technical amendment to this bill. It is uncontroversial and it would further enhance the ability of the abuse and neglect system to combat child abuse. Thank you.

Mr. MCCOLLUM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the 5 minutes. I do not oppose this amendment, but I want to point out to the gentlewoman that the term "child abuse" is already defined in two different sections of the Federal Criminal Code, and in both cases the term is defined to include both physical violence and sexual abuse.

In 18 USC Section 1169, the statute that requires doctors, teachers, and childcare workers to report any suspected case of child abuse that takes place in Indian country the term "child" and "abuse" are defined to include any case where the child is bruised, bleeding, malnourished, burned, has broken bones and other physical injuries, and also includes cases where the child is sexual assaulted, molested, or otherwise subjected to exploitation of a sexual matter.

In 18 USC 3509, the term "child abuse" is defined to mean the physical or mental injury, sexual abuse, exploitation, or negligent treatment of a child.

So I believe the term is very clearly in law defined to include sexual abuse, but I think the gentlewoman's purpose here as she stated it is to make it clear that anyone reading the words that we publish today in this legislation, especially those who are caseworkers on matters of child abuse, will look further and make sure they look for sexual abuse as well. And to that end I compliment her for it and I support her amendment.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this bill, the Child Abuse Prevention and Enforcement Act, and commend my friends the gentlewoman from Ohio (Ms. PRYCE), the gentlewoman from

Ohio (Mrs. JONES), the gentlewoman from Texas (Ms. JACKSON-LEE), and the gentleman from Florida (Mr. MCCOLLUM) and many others for their work in bringing this important issue to the floor today.

This is an important bill in the fight to end the cycle of violence in America's homes. In my State of New York, my home State of New York, a child is reported abused or neglected every 2 minutes. Two thousand children die each year as a result of abuse or neglect.

To make matters even worse, many of these young people will grow up to abuse their children and the cycle will continue. That is why this bill is so important. It will put needed resources in places to help those children who need help the most. It will stress prevention which is very, very important in breaking the cycle of violence. It will double the funding used to train child protective service workers and court-appointed special advocates. A very important component of this bill allows grant money to be used to purchase equipment, allowing abused children to testify in court through closed circuit television.

□ 1545

This creates the least intimidating situation for children who are already under enormous pressure to tell their stories.

We currently have a network of one-stop, child-friendly places where all services are housed under one roof.

These Child Advocacy Centers perform life-saving work, but they need more money. According to Christine Crowder of the Child Advocacy Center in Manhattan, in the district that I represent, this bill helps children on a very basic level. It will provide a coordination of services, which is key to helping victims of child abuse.

When a child abuse case is being assessed, it is important for the social workers and other advocates, police officers, to know about all protective orders, restraining orders, visitation orders, and guardianship orders. That is why this one-stop Child Advocacy Center is so important and the funding is so desperately needed.

I congratulate all the Members of Congress who have been working on this legislation, and I congratulate them for focusing our efforts to prevent and combat child abuse.

Mr. NETHERCUTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I also rise to support this legislation that seeks to address the issue of child abuse and prevent it and treat it. It is a terrible problem in our society. More than anything, I want the House and the Speaker to understand the value of community-based child abuse prevention efforts, like that which exists in my hometown of Spokane, Washington.

In the mid-1980s, a group of us decided that, in order to address this growing problem, something needed to be done to have a safe place for children who are potentially abused children to go until their parents or guardians or custodians could have a chance to get the variable social services that might be available, whether it is job loss advice or alcohol abuse advice or other assistance.

So we started a group called the Vanessa Behan Crisis Nursery. It is a nonprofit charitable organization that exists today without any government funds. It is all community supported and assisted, from labor unions to community leaders, to business leaders, to social service assistance, to Junior League of Spokane and many, many others who have banded together to contribute clothing, have bought a house and converted it through the assistance of contractors and labor union tradesmen and made this house a home for children who are potentially abused children. To this day, they do not take any State or Federal money.

So my point to the Speaker and the House is that it can be done outside of the auspices of government, but there is also a challenge that the Vanessa Behan Crisis Nursery has, and its wonderful director Sue Manfred in trying to have phase two of the crisis nursery be constructed, terribly expensive, terribly difficult to get more money to try to assist in this program. But it is a valuable program.

My hope would be that, as we discuss the issue of child abuse and child abuse prevention, that we think about the nonprofit charity, I believe community-based and supported operations that can go such a long way to helping solve this problem of child abuse and protection of children without the bureaucracy and the strings that are attached many, many times to government money.

So I would hope that my colleagues, the gentleman from Florida (Mr. McCOLLUM) and the gentlewoman from Texas (Ms. JACKSON-LEE) and others, the gentlewoman from Ohio (Ms. PRYCE) especially would think carefully about making money available to community-based organizations for proper purposes and with accountability but without so many strings attached and so much Federal or State control over what happens to the money once it gets there.

Accountability is a good thing. It has to be. But at least the crisis nursery thus far has rejected Federal funds application or State funds application for just that reason. It is burdensome and creates more problems sometimes than it is worth.

But I really think that the model that is established through the Vanessa Behan Crisis Nursery in Spokane, I think it is the only one in our entire State that has addressed this

issue of child abuse prevention. It is a safe haven respite care facility for kids, young children who are the subject of abuse or potential abuse. But it may be temporary.

It is an opportunity for the parents of these kids or the custodians or guardians to get out and get some social services help, which I think probably will be help in this bill as well.

So I commend my colleagues to this model, to the great success of the crisis nursery in Spokane, Washington, and I suggest that those who may be interested in this look to the crisis nursery as an example of what can be done in a nongovernmental charitable community-based organizational way.

With that, I will support this bill, and I thank the gentleman from Florida (Mr. McCOLLUM) and others who work so hard to make this concept of child abuse a prominent one and prevent the child abuse that exists so much in our country today.

Ms. MILLENDER-McDONALD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this great piece of legislation. Again, I would like to thank my colleagues, the gentlewoman from Ohio (Ms. PRYCE), the gentlewoman from Ohio (Mrs. JONES), and especially the gentlewoman from Texas (Ms. JACKSON-LEE), the amendment that I speak to now.

Sexual abuse of children is a harsh fact of life in our society, Mr. Chairman. It is more common than most people realize. Some surveys say that at least one out of five adult women and one out of 10 adult men report having had sexual abuse in childhood.

I would like to just give my colleagues an example, Mr. Chairman, of when I was a teacher and this young woman came to school. She was dressed in clothes, just like any other child would be, very nicely dressed; but deep down within, I saw a sadness in her eyes.

When I attempted to talk with her, she started crying. I could not get her to divulge at that time what had actually happened. It was several days before I could draw from her that she had been sexually abused.

Now we talk about abuse in all of the forms that I said earlier that, every minute, a child is abused or neglected in the State of California. But here we are talking about sexual abuse, something that is hard to detect, because it is not a visual thing, per se, not until one has been able to get that child to really talk out and speak out on what has happened.

We also recognize, Mr. Chairman, that the majority of the children who have been abused were abused by people whom they knew. The victims usually know the offender in eight out of 10 reported cases.

When we got to the bottom of this case, Mr. Chairman, we detected that

this child had been abused by an uncle, an adult male in the family. She did not want to tell this because she really did not want to divulge something that would hurt the family, though she was hurt.

We must do all that we can to train and teach parents to know when perhaps something is wrong with their child and the child has been sexually abused.

Abuse in all other forms tends to be detected earlier than that of sexual abuse. So, Mr. Chairman, the American Academy of Pediatrics believe that parents need not feel frightened or helpless about this problem, and they provide the following information: One must teach one's child about the privacy of his or her body parts; listen to the child to ensure that, if something is wrong and it is difficult for them to bring this out, for one to really draw and continue to give them that support; giving one's child enough time and attention where he or she will divulge this; know one's child and what type of time is being spent with her; check one's child to make sure there is nothing wrong physically; talk to one's child about sexual abuse; let them know that even, yes, surely someone in the family could abuse them sexually; and then have them to tell somebody in authority when this has happened.

We cannot, Mr. Chairman, continue to allow our young children to be sexually abused because it does, as it has been said, go on into adulthood, and then they, too, become an abuser.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Ms. MILLENDER-McDONALD. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, first of all, I appreciate the gentlewoman's personal stories as an educator. I appreciate the comments of the gentleman from Florida (Mr. McCOLLUM). The reason for emphasizing sexual abuse is to note that children may be sexually abused by family members or nonfamily members and are more frequently abused by males, but boys and girls are victimized. One is not more than the other.

The key of this is to give an extra added emphasis tool, if you will, not exclusionary tool, to these child abuse investigators to remember that sexual abuse can be the silent abuse, that one really must have to investigate very thoroughly.

Ms. MILLENDER-McDONALD. Mr. Chairman, reclaiming my time, I would like to say the gentlewoman from Texas (Ms. JACKSON-LEE) has said it all. I support her amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) to the amendment in the nature of a substitute offered by the gentleman from Florida (Mr. McCOLLUM).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 321, further proceedings on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) to the amendment in the nature of a substitute offered by the gentleman from Florida (Mr. MCCOLLUM) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MRS. JONES OF OHIO TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MCCOLLUM

Mrs. JONES of Ohio. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mrs. JONES of Ohio to the amendment in the nature of a substitute offered by Mr. MCCOLLUM:

Page 2, line 17, strike "Section" and insert "(a) IN GENERAL.—Section".

Page 3, after line 6, insert the following:  
(b) INTERACTION WITH ANY CAP.—Subsection (a) shall be implemented so that any increase in funding provided thereby shall operate notwithstanding any dollar limitation on the availability of the Crime Victims Fund established under the Victims of Crime Act of 1984.

Mrs. JONES of Ohio (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment in the nature of a substitute be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. JONES of Ohio. Mr. Chairman, my amendment is simple and straightforward. It strengthens the underlying bill and manager's amendment by ensuring that any increase in funding provided for under the bill will not be prejudiced by any dollar cap imposed on the victims of crime fund. This will help to ensure that Congress will not attempt to balance the budget on the backs of crime victims in general and victims of sexual abuse in particular.

I wish I was not forced to offer this amendment, but I must do so because I fear that some will attempt to tap into money which will otherwise be available to assist in criminal enforcement and compensate crime victims. As a matter of fact, the Commerce, Justice, State appropriations bill, which has recently passed this House, would have us cap the amount of money available to crime victims at \$500 million in a futile effort to balance the budget.

I have some concern that any caps imposed by Congress could threaten the stream of victims compensation payments. As a matter of fact, in 1996, the needs of crime victims were so great that we expended funds in excess of the proposed cap.

To victim advocates such as myself, maximizing the stream of victim as-

sistance grants through the Victims of Crime Act is of the utmost importance, given the many large gaps in victims services found in most communities today.

We should never allow any cap to limit the amount of funds available for the prosecution of child abuse cases. This is why the amendment is supported by victims groups such as the National Organization for Victims Assistance. My amendment guarantees that this bill will take full and immediate effect regardless of any gap.

If my colleagues support victims of crime in general and child abuse victims in particular, they should support this amendment. I urge Members on both sides of the aisle to join me in supporting this amendment.

Mr. MCCOLLUM. Mr. Chairman, will the gentlewoman yield?

Mrs. JONES of Ohio. I yield to the gentleman from Florida.

Mr. MCCOLLUM. Mr. Chairman, I want to thank the gentlewoman from Ohio for the amendment and say it is agreeable to me, and I am more than happy to accept the amendment she is offering. It is a perfecting amendment, as I understand it.

Mrs. JONES of Ohio. Mr. Chairman, I thank the gentleman from Florida for his support and encouragement.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. JONES of Ohio. I yield to the gentleman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I want to thank the gentlewoman from Ohio for a very astute amendment. Without resources, we cannot do our job. I will be happy to support the amendment, and I congratulate the gentlewoman for her effort and vision.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Mrs. JONES) to the amendment in the nature of a substitute offered by the gentleman from Florida (Mr. MCCOLLUM).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mrs. JONES of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 321, further proceedings on the amendment offered by the gentlewoman from Ohio (Mrs. JONES) to the amendment in the nature of a substitute offered by the gentleman from Florida (Mr. MCCOLLUM) will be postponed.

Mr. MCCOLLUM. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CALLAHAN) having assumed the chair, Mr. HANSEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill

(H.R. 764) to reduce the incidence of child abuse and neglect, and for other purposes, had come to no resolution thereon.

#### PERSONAL EXPLANATION

Mr. DOYLE. Mr. Speaker, on October 4, I was unavoidably detained and missed rollcall votes 470, 471, 472, and 473. Had I been present, I would have voted "yes" on all four votes.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 4:30 p.m.

Accordingly (at 4 p.m.), the House stood in recess until approximately 4:30 p.m.

□ 1636

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATHAM) at 4 o'clock and 36 minutes p.m.

#### CHILD ABUSE PREVENTION AND ENFORCEMENT ACT

The SPEAKER pro tempore. Pursuant to House Resolution 321 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 764.

□ 1637

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 764) to reduce the incidence of child abuse and neglect, and for other purposes, with Mr. BLUNT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Mrs. JONES) to the amendment in the nature of a substitute offered by the gentleman from Florida (Mr. MCCOLLUM) had been postponed and the bill was open for amendment at any point.

Are there further amendments to the bill?

#### SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 321, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) to the amendment in the